

**WESTFORD PERMANENT SCHOOL BUILDING COMMITTEE  
MEETING MINUTES**

**April 26, 2007**

**Members Present:** S. Brierley, A. Harkness, R. Jefferies, K. Morgan, G. Murray, K. Ware

**Also Present:** C. Lanciani, N. Reed (NSRLA)

The meeting was called to order at 7:35 P.M.

**LEGEND**

*Italics* = prior meeting(s)

**Bold** = this meeting

**NOTE: For the purpose of clarity much of the discussions from prior meetings have been omitted. Please refer to the Minutes of the August 18, 2005, April 2, 2006 and March 15, 2007 meetings for a comprehensive history of prior discussions.**

**I. INVOICES**

**NSRLA (Nick Reed) –**

**Stony Brook School –** A **Motion** was made by G. Murray seconded by K. Ware and passed unanimously, to approve payment of an invoice, dated 04/23/07, in the amount of \$1,738.85 for preparation of construction document drawings, specifications and review meetings with PSBC.

**OTHER PAYMENTS:**

**KATHY THOMPSON –** A **Motion** was made by K. Ware seconded by A. Harkness and passed unanimously, to approve payment of Invoice #15 dated 04/26/07, in the amount of \$370.80, for Administrative Assistant Services from March 1, 2007 through March 31, 2007.

**WARRANTS SIGNED –** Warrant 0740 PSBC in the amount of \$18,523.05 dated 04/05/07, approved previously by the majority of the committee for invoices previously authorized for payment on 03/29/07.

**II. MINUTES**

A **Motion** was made by G. Murray seconded by K. Ware and passed by a vote of four (4) in favor with two (2) abstentions, to approve the minutes of March 29, 2007 as submitted.

**III. CRISAFULLI SCHOOL**

**No discussion**

#### IV. MILLER SCHOOL

*The latest round of water testing has been completed and the report indicates that Nitrate levels are well below the threshold. There is one more set of tests to be performed under our Agreement with the Board of Health.*

#### V. STONY BROOK

*A Motion was made by G. Murray seconded by V. Weisenbloom and passed unanimously to request concurrence from the Board of Selectmen to proceed to file suit against Peabody Construction Company and Travelers Insurance Company. The PSBC will ask to appear at the next Board of selectmen meeting on February 28, 2007 and K. Morgan will inform E. Quinlan of the result of the Selectmen's meeting. E. Quinlan will provide, prior to the Selectmen's meeting an estimate of his costs to get to the point of going to trial. K. Morgan reported that the complaint was filed on 03/02/07 and a copy sent to the firm that likely will represent Peabody. Status unchanged.*

#### **The Action Items List was reviewed.**

*After the discussion a Motion was made by K. Ware seconded by A. Harkness and passed unanimously to approve the proposal with NSRL in the amount of \$23,500.00 for the services described in his proposal dated January 25, 2007 and to progress the work to generally meet the schedule developed by N. Reed dated 1/30/07 as revised during the meeting to a completion date of August 14, 2007. M. Mulligan then asked what the balance remaining in the project is. S. Brierley responded that the balance is approximately \$500,000 based on his recollection, although he did not have precise data at the meeting. N. Reed briefed the committee on his design progress and also presented an updated tentative project schedule and estimate of probable cost in the amount of \$262,834.00. During discussion the committee directed that the electrical work in the amount of \$3,500.00 be removed from the scope of this project. The committee suggested that N. Reed speak to Mike Liu (Berkshire Design) regarding as-built conditions, specifically grades and the design and capacity of the irrigation system. K. Morgan reported that J. Volkert is not available to act as Owner's representative during construction. It was suggested that C. Lanciani might be available and K. Morgan will contact him. N. Reed briefed the committee on his design progress. He is on schedule and estimates that construction documents are approximately 90%-95% complete. There was some discussion as to the proper format for the contract documents, i.e. AIA format or other and also whether this project needs to be bid under Chapter 149. The committee requested N. Reed to prepare a draft contract in abbreviated AIA format and submit it to Town Counsel for review and also to discuss the format and access requirements with the Chief Engineer, Highway Superintendent and Fire Department. The Principal of the school should also be contacted. The specifications will be ready for the committee's review on 03/29/07 and it is forecasted to advertise for bids on 04/04/07. N. Reed will provide the specifications in electronic format to T. Ellis (Division I), R. Jefferies and S. Brierley (Plans and Technical Specs.) for review and also to B. Olsen and C. Lanciani. There was a brief discussion regarding C. Lanciani's role in the construction phase of the project, primarily his getting familiar with the work. K. Morgan will be the primary contact with c. Lanciani going forward. N. Reed briefed the committee on then progress of the design. The work is on schedule for advertising for bids on April 12, 2007. Bids will be opened on May 10, 2007 at Central Office. N. Reed requested that the Town obtain the most current prevailing wage rates for inclusion in the contract and noted also that the Town needs to place the advertisement in the Central Register. K. Thompson will pursue this. The committee reviewed the drawings and provided review comments. N. Reed will provide the plans and specifications to the Town manager for forwarding to Town Counsel for review as to form. **N. Reed briefed the committee on the progress of the project. The project advertising was delayed due to a miscommunication; however the project will appear in the Central Register next week. The Bid opening is May 17 and there will be a site walk for bidders on May 9. N. Reed advised the***

committee that the costs of advertising were not included in his contract and requested an adjustment to his contract. K. Morgan requested N. Reed to send his request in writing. There was discussion regarding the scope of N. Reed's services during construction and the proposed scope of services for an owner's representative. After discussion a Motion was made by G. Murray seconded by A. Harkness and approved unanimously to offer Curtis Lanciani a contract as Owner's Representative for the Stony Brook Paver Project at a rate 15% above his final salary at the Miller School. The term of employment will be June 18, to August 14.

*K. Morgan asked for volunteers to form a subcommittee to review Change Orders, etc. related to the exterior and site work in order to complete the E&O process. T. Ellis and G. Murray will act as a subcommittee to review all exterior work changes from an E&O perspective. T. Ellis and G. Murray will begin their review before the next meeting. Status unchanged. G. Murray will request the marked up plans from T. Ellis. G. Murray reported that he and T. Ellis toured the site two weeks ago. T. Ellis is preparing a report. However, G. Murray described a short list of items requiring correction and/or completion: the control station for the well and irrigation was never properly graded; topsoil missing around portions of the track; a washout between the baseball and softball fields; missing guardrail at the parking area adjacent to the treatment plant; the parking lot has become in essence a storage area. Some of these items should be repaired or completed by the School Department; others should be done by the PSBC. K. Thompson will discuss the School Department related issues with R. Crocker. Mahoney's Nurseries have purchased Laughton's. K. Morgan will ask T. Ellis to attempt to talk to Sandy, formerly of Laughton's, now with Mahoney's to ascertain the status of the remainder of the work. G. Murray reported that the guardrail has been replaced, the parking area has been cleaned and the previously stored materials have been removed, the area surrounding the irrigation control station has been repaired and that some topsoil has been placed around the edge of the track. The committee asked that the whereabouts of the concrete pavers be determined. R. Crocker previously reported that the extra pavers could not be found. T. Ellis will prepare a summary of the plantings' E&O items. **Status unchanged.***

*The issue of the improperly located fence between the basketball and tennis courts has not been resolved, pending completion of the close out procedure with Peabody. Fences Unlimited, PCCI subcontractor, has sent a letter to PCCI requesting the balance of the monies owed to them by PCCI. This item is on the Punch List. G. Brackett has advised, in writing, that he will pursue this item with the bonding company. T. Ellis questioned whether we should take any action pending the situation surrounding the pending lawsuit against Peabody/Travelers. K. Ware reported that there is an upcoming project by others to add tennis courts adjacent to the existing courts and suggested that the committee explore the possibility of adding the fence relocation to that project. After discussion K. Ware was identified as the point of contact for this pursuit. **G. Murray was assigned as liaison to Recreation Commission on this issue.***

*The committee has received a revised proposal from Northeast Flooring for removal and replacement of the carpeting in the Auditorium Orchestra Pit, in the amount of \$11,171.30. After discussion a Motion was made by G. Murray, seconded by A. Harkness and passed unanimously to accept the proposal from Northeast Flooring for Auditorium carpet with the clarification installing a 4" border strip at the intersection of the aisles and the orchestra pit, at a cost of \$11,171.30. G. Murray reported that he and R. Harbaum reviewed the work and the reported completion of the Punch List. G. Murray reported that the Punch List is not complete and there are several items of poor quality installation. G. Murray has provided a written report to K. Thompson for forwarding to Northeast Flooring along with notification that their invoice(s) will not be paid until the work is completed satisfactorily and K. Thompson will provide the report to the Committee. G. Murray reported that the Punch List items have been completed, with one minor exception. After discussion it was agreed to ask Northeast Flooring to complete the final item as a condition of receiving final payment, which was approved tonight.*

## **VI. OTHER**

*T. Ellis reported problems with the gymnasium floor deforming, in his observation similar to the issues previously addressed where the rubber and VCT tiles are installed. The committee will investigate the situation, beginning with an assessment of the moisture content in the concrete slab beneath the floor. G. Murray will visit the site and bring a moisture meter to perform an initial moisture content measurement. G. Murray reported the results of his moisture meter reading, which indicate moisture content of the flooring within expected and acceptable ranges. He also reported that his conversation with R. Harbaum indicated no reported problems with the gym floor. After discussion it was agreed that no further action is required.*

**There was discussion surrounding a letter dated April 5, 2007 regarding non-compliance of the wastewater treatment plant at Stony Brook. After discussion it was agreed that this is a School Department issue and that the PSBC would offer assistance to the School Department if requested.**

**Kathy Auth, Finance Director, has asked the PSBC for input regarding the amount of legal assistance required for the Westford Academy project, in response to an inquiry from the Massachusetts School Building Authority dated April 20, 2007. Based on our interpretation of the criteria used to describe legal assistance that may be reimbursable the PSBC is of the opinion that the WA project does not meet the eligibility criteria.**

The next meeting is scheduled for Thursday, May 24, 2007, at 7:30 P.M. at the Central Office. The meeting was adjourned at 8:18 P.M.

Respectfully submitted,

Steven Brierley, Secretary

Minutes approved \_\_\_\_\_ by a vote of \_\_\_\_\_

Signed \_\_\_\_\_